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Response #3
10/15/02
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Parker et al.
Serial No: 09/746,192
Filing Date: 12/21/2000
Title: REPROGRAMMABLE
OPTICAL READER

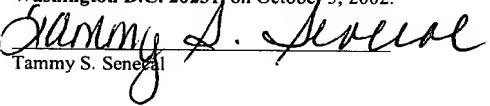
October 3, 2002

Group Art Unit: 2876

Examiner: Le, Thien Minh

RESPONSE

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail addressed to **Assistant Commissioner for Patents, Washington D.C. 20231**, on October 3, 2002.


Tammy S. Senechal

Assistant Commissioner for Patents
Washington, DC 20231

RESPONSE TO THE EXAMINER'S OFFICE ACTION

In response to the Office Action dated 7/03/02, designated as Paper No. 2 in the above-captioned application, please enter the following Remarks as follows:

Remarks

In view of the following remarks, favorable reconsideration of the outstanding office action is respectfully requested. Claims 1-45 remain in this application.

1. § 102 Rejections

The Examiner has rejected claims 1, 2, 16, 19, 34, and 44 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,825,058 to Poland, U.S. Patent No. 4,899,977 to Haydon, and by U.S. Patent No. 4,861,972 to Elliott et al. [hereinafter Elliott]. The applicants respectfully traverse these rejections because the Examiner has failed to make a prima facie case of anticipation since the cited art does not teach every element of the claimed invention.

Claim 1 is directed to an optical reader for scanning and decoding at least one optically encoded symbol. The optical reader includes a program loading component operative to store an externally generated program in the optical reader. A program execution